

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WALTER P. GEIGER, JR.,	)	
	)	
Plaintiff,	)	Civil Action No. 21-1759
	)	
v.	)	Judge Cathy Bissoon
	)	
NORTH HUNTINGDON TOWNSHIP,	)	
<i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

Plaintiff's Motion (Doc. 11) to remand this case to state court will be granted. In this removed action, Plaintiff's only federal claim, against the Township-Defendant, has settled. *See id.* at ¶ 4. Plaintiff's remaining claims, against the individual Defendants, sound in state law, and diversity of citizenship is lacking. *See* Compl. (Doc. 1-2) at ¶¶ 1-4, *and* Counts I through IV. Plaintiff requests that the case be remanded to state court, one of the remaining Defendants (Ms. Geiger) has consented and the second (Ms. Wilmont) has not responded. *See* Doc. 11 at ¶¶ 5-7.

Remand to state court is appropriate. The Court has discretion to remand supplemental claims once the federal claim(s) have been dismissed or settled, based on considerations of comity, federalism, judicial economy and fairness. Nielsen v. Miller, 2021 WL 1968292, \*4 n.9 (W.D. Va. May 17, 2021) (citing and quoting *Wright & Miller*, 14C Fed. Prac. & Proc. Juris. § 3726 (Rev. 4th ed.)). Remand is appropriate here, given Plaintiff's original choice of forum (state court); the fact that only state law claims remain; and the very early stage of this litigation. *Id.*; *accord Quintana v. Strand*, 2009 WL 10708121, \*1 (D. N.M. Mar. 3, 2009) (remanding

based on similar considerations); *see also* Silverman v. New Paris Rural Health Clinic, 2020 WL 8224885, \*1 (W.D. Pa. Sept. 11, 2020) (although federal courts may retain jurisdiction over state law claims after the resolution of all federal causes, they “generally decline[] . . . to do so unless they ha[ve] invested substantial time in the case”).

For these reasons, Plaintiff’s Motion (**Doc. 11**) to remand is **GRANTED**, and this case is **REMANDED FORTHWITH** to the Court of Common Pleas of Allegheny County, Pennsylvania (Dkt. No. GD 20-009527).

IT IS SO ORDERED.

February 3, 2022

s/Cathy Bissoon

Cathy Bissoon

United States District Judge

cc (via ECF email notification):

All Counsel of Record